

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/776,037 Confirmation No.: 1520  
Applicant : Paul G. Yock, et al.  
Filing Date : February 9, 2004  
Title : METHODS AND KITS FOR LOCALLY ADMINISTERING AN  
ACTIVE AGENT TO AN INTERSTITIAL SPACE OF A HOST  
Group Art Unit : 1633  
Examiner : Maria Marvich  
Docket No. : 13854.4004  
Customer No. : 34313

Commissioner for Patents  
Mail Stop Reissue  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT OF STATUS / SUPPORT FOR CHANGES TO CLAIMS**  
**(AMENDMENT DATED July 18, 2007)**  
**UNDER 37 C.F.R. § 1.173(c)**

Dear Sir:

In connection with the Amendment filed herewith relating to the above-captioned reissue application, the following is a statement of status of all patent claims and of all added claims as of the date of the present Amendment, and an explanation of the support in the disclosure of the patent for the changes made to the claims.

**Status of Claims**

As of the date of the Amendment submitted herewith, the status of the claims is as follows:

Claims 1 through 104 are pending.

Applicant : Paul G. Yock, et al.  
 Appl. No. : 10/776,037  
 Examiner : Marvich, Maria  
 Docket No. : 13854.4004

### **Support for Changes Made to Claims**

Of the pending and added claims, the following changes have been made by the Amendment submitted herewith:

Claims 1, 8, 15, 37, 44, 51, 56, 57, 58, 67, 69, 78, 80, 81, 90 and 92 have been amended.

The support in the disclosure of the patent for each of the above changes is set forth in the table below.

<b><u>Amended</u></b>	<b><u>Support in Patent Disclosure</u></b>
<p>1. (Currently Amended) A method of locally administrating an active agent to a host, said method comprising: retroinfusing said agent into a vascular vessel of said host under conditions sufficient for the agent or a fluid delivery vehicle thereof to produce a disruption in said vessel and for said agent to enter an interstitial space of said host through said disruption so that said agent is locally administered to said host, <u>wherein said disruption comprises a passageway created in a wall of said vessel.</u></p>	<p>Col. 5, lines 32-41 describes what is meant by disruption.</p>
<p>8. (Currently Amended) A method of locally administering an active agent to a host, said method comprising: retroinfusing said agent into a vein of said host under conditions sufficient for the agent or a fluid delivery vehicle thereof to produce a disruption in said vein and for said agent to enter an interstitial space of said host through said disruption so that said agent is locally administered to said host, <u>wherein said disruption comprises a passageway created in a wall of said vein.</u></p>	<p>Col. 5, lines 32-41 describes what is meant by disruption.</p>

Applicant : Paul G. Yock, et al.  
 Appl. No. : 10/776,037  
 Examiner : Marvich, Maria  
 Docket No. : 13854.4004

<u>Amended</u>	<u>Support in Patent Disclosure</u>
<p>15. (Currently Amended) A method of locally administering an active agent to a host, said method comprising: retroinfusing said agent into a vein of said host with a catheter and at a pressure sufficient for the agent or a fluid delivery vehicle thereof to produce a disruption in said vein such that said agent enters an interstitial space proximal to the vein through said disruption, <u>wherein said disruption comprises a passageway created in a wall of said vein;</u>          whereby said agent is locally administered to said host.</p>	<p>Col. 5, lines 32-41 describes what is meant by disruption.</p>
<p>37. (Currently Amended) A method of locally administering an active agent to a host, said method comprising: retroinfusing a fluid into a vascular vessel of said host under conditions sufficient for the fluid to produce a disruption in said vessel and infusing said agent into an interstitial space of said host through said disruption and locally administering said agent to said host through said disruption, <u>wherein said disruption comprises a passageway created in a wall of said vessel.</u></p>	<p>Col. 5, lines 32-41 describes what is meant by disruption.</p>
<p>44. (Currently Amended) A method of locally administering an active agent to a host, said method comprising: retroinfusing a fluid into a vein of said host under conditions sufficient for the fluid to produce a disruption in said vein and infusing said agent into an interstitial space of said host through said disruption so that said agent is locally administered to said host, <u>wherein said disruption comprises a passageway created in a wall of said vein.</u></p>	<p>Col. 5, lines 32-41 describes what is meant by disruption.</p>

Applicant : Paul G. Yock, et al.  
 Appl. No. : 10/776,037  
 Examiner : Marvich, Maria  
 Docket No. : 13854.4004

<u>Amended / New Claim</u>	<u>Support in Patent Disclosure</u>
<p>51. (Currently Amended) A method of locally administering an active agent to a host, said method comprising:  retroinfusing a fluid into a vein of said host with a catheter and at a pressure sufficient for the fluid to produce a disruption in said vein and infusing said agent into an interstitial space proximal to the vein through said disruption, <u>wherein said disruption comprises a passageway created in a wall of said vein;</u>  whereby said agent is locally administered to said host.</p>	<p>Col. 5, lines 32-41 describes what is meant by disruption.</p>
<p>56. (Currently Amended) A method of locally administering an active agent to a host, said method comprising:  retroinfusing said agent into a vascular vessel of said host under conditions sufficient for the agent or a fluid delivery vehicle thereof to produce at least a mechanical stress on said vessel, which stress facilitates the transport of said agent through the wall of said vessel so that said agent is locally administered to said host <u>by producing a disruption in the wall of said vessel, wherein said disruption comprises a passageway created in the wall of said vessel,</u>  wherein said method further comprises administration of energy to said vessel.</p>	<p>Col. 5, lines 32-41 describes what is meant by disruption.</p>
<p>57. (Currently Amended) The method according to claim 56, wherein said <u>retroinfusing comprises administering the agent or the fluid delivery vehicle thereof at a pressure is sufficient to at least distend said vessel.</u></p>	<p>Corrected antecedent</p>

Applicant : Paul G. Yock, et al.  
 Appl. No. : 10/776,037  
 Examiner : Marvich, Maria  
 Docket No. : 13854.4004

<b><u>Amended</u></b>	<b><u>Support in Patent Disclosure</u></b>
<p>58. (Currently Amended) The method according to claim 56, wherein said <u>retroinfusing comprises administering the agent or the fluid delivery vehicle thereof at a pressure is sufficient to disrupt said vessel.</u></p>	<p>Corrected antecedent</p>
<p>67. (Currently Amended) A method of locally administering an active agent to a host, said method comprising:  retroinfusing said agent into a vascular vessel of said host under conditions sufficient for the agent or a fluid delivery vehicle thereof to at least distend said vessel, which distention facilitates the transport of said agent through the wall of said vessel so that said agent is locally administered to said host <u>by producing a disruption in the wall of said vessel, wherein said disruption comprises a passageway created in the wall of said vessel,</u>  wherein said method further comprises administration of energy to said vessel.</p>	<p>Col. 5, lines 32-41 describes what is meant by disruption.</p>
<p>69. (Currently Amended) The method according to claim 67, wherein said <u>retroinfusing comprises administering the agent or the fluid delivery vehicle thereof at a pressure is sufficient to disrupt said vessel.</u></p>	<p>Corrected antecedent</p>

Applicant : Paul G. Yock, et al.  
 Appl. No. : 10/776,037  
 Examiner : Marvich, Maria  
 Docket No. : 13854.4004

<u>Amended</u>	<u>Support in Patent Disclosure</u>
<p>78. (Currently Amended) A method of locally administering an active agent to a host, said method comprising: retroinfusing a fluid into a vascular vessel of said host under conditions sufficient for the <del>agent or a fluid delivery vehicle thereof</del> to produce a mechanical stress in said vessel, which stress facilitates the transport of said agent through a wall of said vessel so that said agent is locally administered to said host <u>by producing a disruption in the wall of said vessel, wherein said disruption comprises a passageway created in the wall of said vessel,</u> wherein said method further comprises administration of energy to said vessel.</p>	<p>Col. 5, lines 32-41 describes what is meant by disruption.</p>
<p>80. (Currently Amended) The method according to claim 78, wherein said <u>retroinfusing comprises administering the fluid at a pressure is sufficient to at least distend said vessel.</u></p>	<p>Corrected antecedent</p>
<p>81. (Currently Amended) The method according to claim 78, wherein said <u>retroinfusing comprises administering the fluid at a pressure is sufficient to disrupt said vessel.</u></p>	<p>Corrected antecedent</p>

Applicant : Paul G. Yock, et al.  
 Appl. No. : 10/776,037  
 Examiner : Marvich, Maria  
 Docket No. : 13854.4004

<u>Amended</u>	<u>Support in Patent Disclosure</u>
<p>90. (Currently Amended) A method of locally administering an active agent to a host, said method comprising: retroinfusing a fluid into a vascular vessel of said host under conditions sufficient for the <del>agent or a fluid delivery vehicle thereof</del> to at least distend said vessel, which distention facilitates the transport of said agent through the wall of said vessel so that said agent is locally administered to said host <u>by producing a disruption in the wall of said vessel, wherein said disruption comprises a passageway created in the wall of said vessel,</u> wherein said method further comprises administration of energy to said vessel.</p>	<p>Col. 5, lines 32-41 describes what is meant by disruption.</p>
<p>92. (Currently Amended) The method according to claim 90, wherein said <u>retroinfusing comprises administering the fluid at a pressure is sufficient to disrupt said vessel.</u></p>	<p>Corrected antecedent</p>

Respectfully submitted,

Orrick, Herrington & Sutcliffe LLP



Dated: July 18, 2007

By \_\_\_\_\_  
 Kenneth S. Roberts  
 Reg. No. 38,283  
 Attorneys for Applicants

4 Park Plaza  
 Suite 1600  
 Irvine, California 92614  
 (949) 567-6700